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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/298,910 04/26/99 SONETAKA

N Q54131

TM02/0206
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WASHINGTON DC 20037-3202

EXAMINER

CRAVER, C

ART UNIT

PAPER NUMBER

2681

DATE MAILED:

02/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/298,910

Applicant(s)

SONETAKA, NORIYOSHI

Examiner

Lewis G. West

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

1. The Group and/or Art Unit location of your application in the PTO has changed.

To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2681.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: Applicant claims a telephone connected to an exchange and claims that telephone's dialing is being controlled by a subscriber terminal without an explanation of the connection between the two that results in a functional system. The apparent invention would involve a telephone connected to the subscriber terminal, which is not claimed, said subscriber terminal having no means for controlling a telephone connected directly to an exchange. For the purposes of examination it is assumed that the telephone is connected directly to the subscriber terminal.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by West, Jr. et al.

Regarding claim 1, West discloses a radio access system comprising a subscriber terminal, a base station connectable to the subscriber terminal via a radio link, a base station control station for controlling the link and an exchange accommodating a telephone set and connected to said base station control station, (Fig. 1; col. 3 line 61-col. 4 line 37) wherein the subscriber terminal detects the telephone is off-hook (col. 5 lines 34-64), establishes a radio link between base station and controller, the terminal then receives dialing signal when keys are pressed on the telephone, sent from the telephone to the base station (col. 7 line 12- col. 8 line 50), the subscriber terminal having means for determining if a dialing signal represents a final digit. (col. 10 lines 1-50).

Regarding claim 3, West discloses a system wherein counting dialing signals sent from said telephone is the means for determining the final digit. (col. 10 lines 3-64)

Regarding claim 4, West discloses a system wherein after the final digit of a dialed telephone number has been entered, a SEND command is sent which establishes an inbound communication connection between base station and subscriber terminal. (col. 7 line 31-col. 8 line 50)

Regarding claim 6, West discloses a system wherein after the final digit of a dialed telephone number has been entered, a SEND command is sent which

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establishes an inbound communication connection between base station and subscriber terminal. (col. 7 line 31-col. 8 line 50)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over West, Jr. et al. in view of.

Regarding claim 2, West discloses the use of a timer, but does not expressly disclose using said timer to determine the last digit dialed. Zicker, however, discloses a system wherein the last digit dialed is determined by the expiration of a timer after a digit has been pressed. (col. 9 lines 46-54) Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use a timer to determine the last digit dialed in order to allow a dialing process that is familiar to users. (col. 1 line 60-col. 2 line 12)

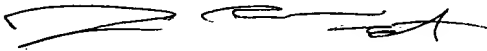
Regarding claim 5, West discloses a system wherein after the final digit of a dialed telephone number has been entered, a SEND command is sent which establishes an inbound communication connection between base station and subscriber terminal. (col. 7 line 31-col. 8 line 50)

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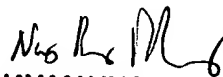
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Thursday 5:30-3:00 and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6306 for regular communications and 703-308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



January 23, 2001


NAY MAUNG
PRIMARY EXAMINER